

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDYMAC BANK, F.S.B.,

Plaintiff,

- against -

NATIONAL SETTLEMENT AGENCY, INC.; :
STEVEN M. LEFF; RACHEL M. LEFF;
RICHARD A. LEFF; and OPTAMERICA :
MORTGAGE, INC.,

Defendants.

Case No.: 07 cv 6865 (LTS) (GWG)

ORDER TO SHOW CAUSE TO
COMPEL MICHAEL L. SOSHNIK
TO DISGORGE AND PAY-OVER
TO THE U.S. MARSHAL ANY
ATTORNEY'S FEES RECEIVED
FROM STEVEN M. LEFF

(Fed. R. Civ. P. 64 and NY C.P.L.R.
6214(d))

Upon the pleadings and papers filed in this action, and the attached declaration of Eric Weinstein, sworn to on January 23, 2008, it is hereby:

ORDERED THAT garnishee Michael L. Soshnick show cause before this Court at Room 17-A, United States Courthouse 500 Pearl Street, New York, NY 10007 on the 8th day of February at 11:15 a.m./p.m., or as soon thereafter as counsel can be heard, why an order should not be entered, pursuant to Fed. R. Civ. P. 64 and NY C.P.L.R. 6214(d) requiring Michael L. Soshnick to: (a) provide a sworn account to the plaintiff of all legal fees received from Steven Leff on or after August 6, 2007, or to provide a sworn statement that no legal fees have been received; (b) provide a sworn account to the plaintiff of assets belonging to Steven Leff held since August 6, 2007 on retainer for future legal services, or for any other purpose, or to provide a sworn statement that no assets are being held; and (c) disgorge and pay-over to the U.S. Marshal, in preference of and pursuant to IndyMac's Order of Attachment, all legal fees received from Steven Leff on or after August 6, 2007, and all retainers and assets belonging or owed to Steven Leff; and it is further

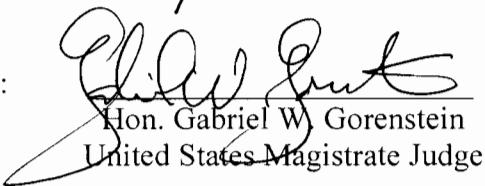
ORDERED that a copy of this Order to Show Cause and the papers upon which it is based shall be served upon all counsel to this action and the U.S. Marshal for the Southern District of New York by hand or overnight delivery, so that the papers are received on or before

January 28, 2008; and it is further

ORDERED that any opposition papers be served upon the same by hand or overnight delivery within *7* days of the return date on this Order to Show Cause and that any reply papers be served upon the same by hand or overnight delivery within one day of the return date on this Order to Show Cause.

Courtesy copies shall simultaneously be delivered to the Court.

SO ORDERED:


Hon. Gabriel W. Gorenstein
United States Magistrate Judge

DATED:

1/24/2008

FELDMAN WEINSTEIN & SMITH LLP
Attorneys for Plaintiff IndyMac Bank, F.S.B.

By:


Eric Weinstein (EW 5423)
David J. Galalis (DG 1654)
420 Lexington Avenue, Ste. 2620
New York, NY 10170
(212) 869-7000